

# Department of Human Services

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## Articles in Today's Clips Tuesday, August 15, 2006

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## DHS let off in death of Flint child Agency received no recent complaints

FLINT

THE FLINT JOURNAL FIRST EDITION

Tuesday, August 15, 2006

By Ron Fonger

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FLINT - The Office of Children's Ombudsman has cleared the state Department of Human Services of any wrongdoing in the death of 5-year-old Rose Kelley.

In a Friday letter to Booth Newspapers - a group of eight Michigan newspapers that includes The Flint Journal - Children's Ombudsman Verlie M. Ruffin said Rose and her siblings were "severely neglected" and their home kept in a "deplorable" condition before she died of liver failure compounded by neglect June 3.

But the DHS Children's Protective Services Division never received complaints about the home or neglect of the four children in the months immediately before Rose's death, Ruffin's letter said.

"While the Office of Children's Ombudsman has (approved) our actions, we still have the death of a child in our community," said Sheryl Thompson, director of the Genesee County DHS office. "We have to work together with the community ... to prevent this type of death from happening in the future."

Booth Newspapers asked that the children's ombudsman determine whether DHS responded appropriately to complaints received before Rose's death.

Investigators have said Rose had been sick in the days leading up to her death but was never taken to a doctor because her mother, Michelle L. Bowen, feared her children could be taken from her because her daughter's hair was infested with lice.

Police and CPS workers have said the home was full of lice, fleas, garbage and dog feces at the time of Rose's death.

The agency had ordered Rose's parents, Bowen and Jeffery C. Kelley, to take parenting classes in 2004 and receive "prevention services" in 2005 after allegations that another child in the home had been medically neglected, according to a court petition.

Caseworkers "conducted thorough investigations, reached dispositions that were consistent with case facts and department policy, and facilitated timely and appropriate preventative and support services to the family," the ombudsman's letter said. The department's contact with the family in 2004 and 2005 "did not

### QUICK TAKE

About the Children's Ombudsman report

- The Office of Children's Ombudsman is an independent state agency with the authority to investigate complaints in Michigan's child welfare system.
- The office has concluded that Children's Protective Services workers in Genesee County complied with state laws, agency rules and policies in response to complaints about Rose Kelley and her siblings.
- More specifically, the office found the department "conducted thorough investigations, reached dispositions that were consistent with case facts and department policy and facilitated timely and appropriate preventive and

necessitate court petition or removal" of the children.

support services to the family."

Ruffin did not blame teachers, school officials, neighbors, relatives or others who suspected problems in the home for inaction but said no such reports came to CPS "in the several months preceding Rose's death."

State Rep. Brenda Clack, D-Flint, said there could be more to the investigation than meets the eye.

DHS may have followed its guidelines and the state law, she said, but caseworkers might have been able to go a step further in their work if they had fewer cases assigned to them.

"They are stressed," Clack said. "They don't have the time to do what they would consider a stellar job."

Clack said the report also appears to be a call to action for neighbors who suspect children are living in poor conditions but who are reluctant to call DHS about the problems.

"We have to become our brother's keeper. That's being a good neighbor," Clack said. "Sometimes we ignore or we don't see."

There were signs of possible trouble at the home on N. Franklin Avenue near Davison Avenue on Flint's east side.

Neighbors who saw through windows said Rose and her siblings were kept inside the house, many times dressed only in their underwear, even in winter.

Rose's half-sister, a Flint School District student, had a chronic attendance problem, but her case was never referred to attendance court - something that might have sparked intervention.

And a landlord's handyman who showed up to fix a water leak at the home wasn't allowed into the living area of the house and noticed dog feces inside just a few months before the death.

The landlord sent the family a letter, asking Bowen and Kelley to clean up, but also apparently never complained to DHS.

Some neighbors said Monday that it was hard to tell what was happening in another house on a block where renters come and go without knowing each other well.

"You can't tell what goes on behind closed doors," said Robin Bedard, 41, who lived across the street from the Bowen-Kelley house.

Another neighbor - Teresa Youmans, 35 - said the family didn't stand out, and she didn't know them well.

"You didn't notice anything out of the ordinary," said Youmans. "You drive around this side of Flint and half the yards are not taken care of. (They) never invited me in, and I never asked to go in. What they let us see looked fine."

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Published August 15, 2006

## Appeal postpones trial for Ricky's dad

Mom's trial also may be delayed by legal issues

By Kevin Grasha  
Lansing State Journal

### What's next?

- A state Court of Appeals decision to delay Tim Holland's trial does not affect pretrial hearings. The next court session is scheduled Friday before Ingham County Circuit Judge Paula Manderfield.

On Jan. 26, Lisa Holland told Ingham County sheriff's detectives her husband, Tim, killed their 7-year-old son Ricky.

The next day, Tim Holland told police he helped dispose of Ricky's body after Lisa killed the boy with a hammer.

Both of their statements are key in the case against the couple who are charged with murder and child abuse in the boy's death. And both statements are sparking court battles, as well as the delay of at least one of their trials.

Tim Holland's Sept. 11 trial has been stayed, pending an appeal based on the statements he made Jan. 27. The state Court of Appeals will hear arguments in October.

Meanwhile, Ingham County Prosecutor Stuart Dunnings III expects to file an appeal this week in Lisa Holland's case regarding her Jan. 26 interview that, if granted, also would delay her trial.

The Williamston husband and wife were scheduled to be tried at the same time before different juries.

Neither Lisa nor Tim Holland's statements can be used against the other because they are co-defendants in the same case, prosecutors have said.

Dunnings said prosecutors hope to resolve as many issues as possible before the trial.

"I'm very heartened by the fact that the Court of Appeals ... has chosen to decide this before trial rather than waiting for a jury verdict and then having an appeal," he said.

In Tim Holland's case, the issue is whether a jury will hear statements he made to authorities Jan. 27, saying his wife killed Ricky by striking him in the head with a hammer, according to court

records. Those statements also include Tim Holland's admission that he disposed of the boy's body at Lisa's direction.

Attorney Frank Reynolds has argued Tim Holland entered into plea discussions with prosecutors Jan. 27 - and Michigan's rules of evidence dictate anything he said cannot be used against him.

"It's an important issue that affects a substantial right people have," Reynolds said Monday.

It is unclear how long it will take the appellate court to issue an opinion, although the court has ordered that the appeal be resolved as soon as possible.

Lisa Holland's attorney, Andrew Abood, in an interview Friday, estimated the odds of the Court of Appeals granting a stay in Tim Holland's case were 10,000 to 1.

Reynolds said it was very rare for an appeals court to hear an issue before a trial.

"It's usually done when there is a significant legal issue involved," he said, later adding: "I just want to make sure my client gets a fair trial."

Prosecutors likely will appeal Circuit Judge Paula Manderfield's decision last month to suppress the last 35 minutes of Lisa Holland's Jan. 26 interview with Ingham County sheriff's detectives, during which she said her husband might have strangled or suffocated Ricky.

It was during the last part of the interview that Lisa Holland's attorney, Andrew Abood, was at the Ingham County Jail looking for her.

Manderfield ruled that questioning should have stopped once detectives knew he was there.

Contact Kevin Grasha at 267-1347 or [kgrasha@lsj.com](mailto:kgrasha@lsj.com).

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# **RICKY HOLLAND: Appeals court delays father's murder trial**

*Detroit Free Press*

*August 15, 2006*

The Michigan Court of Appeals has delayed the September murder trial of Tim Holland who, along with his wife Lisa, is charged in the killing last summer of their 7-year-old son, Ricky.

The appellate court's action likely will result in a delay in the trial for Lisa Holland, too, lawyers said.

The three-judge panel agreed on Thursday to hear Tim Holland's appeal of a July Ingham County Circuit Court decision to allow his January statements to police.

Those statements -- made shortly before he led police to the boy's body -- had been excluded by a district court judge on the theory that they were made during a plea bargaining agreement.

The appeals court panel said it would consider in October whether the statements could be used at his trial.

## Burned body is that of Raven Jeffries

**BY CECIL ANGEL**  
FREE PRESS STAFF WRITER

*August 15, 2006*

An altar of hope turned into a memorial Monday as a Detroit family's fears were confirmed: The burned body of a little girl found in a Romulus field is that of Raven Jeffries.

"My sister don't feel no pain no more," Raven's brother, David Hosler, 19, said after police announced that DNA tests proved a match.

The 7-year-old Detroit girl was reported missing Aug. 4 from outside her home in the 6500 block of McDonald. Police found the body in Romulus a few days later, but the child's family held out hope that it wasn't Raven.

The family was mostly quiet after six police officers from Romulus and Detroit arrived at their home at 12:30 p.m. to give them the news.

Afterward, Raven's mother, Brenda Jeffries, visited the compilation of stuffed animals, votive candles and well wishes for Raven on McDonald Street that is now a memorial.

"We're just trying to stay strong," Hosler said. "You know? We're trying to be strong. It's not that everybody's taking it really well. There's no explanation on how we feel."

Now that the body has been identified, police investigators have shifted their focus to determining who killed the child and why.

"It's every parent's worst nightmare to experience a missing child and then to have that confirmed. Their worst suspicions confirmed," Wayne County Prosecutor Kym L. Worthy said at a Monday afternoon news conference.

"We're not close to making an arrest at this time."



Brenda Jeffries visits the memorial for her daughter Raven, 7, after learning that her body had been identified Monday. (SUSAN TUSA/Detroit Free Press)

### How you can help

Contributions to help the family pay for funeral expenses can be made to the Raven Jeffries Fund at any Comerica Bank branch.

Also, anyone with information about the slaying of Raven Jeffries should call Romulus police at 734-942-6879 at anytime.

Romulus Police Lt. John Leacher said authorities are "looking at several people and we will be continuing with that investigation." The Detroit Police Department, Michigan State Police and the Wayne County Prosecutor's Office are working the case along with the Romulus Police Department.

He said no one, including family, has been ruled out as suspects and declined to say whether Raven's death was linked to illegal drug dealing or to a child molester.

Said Worthy: "We don't want to tip our hat as to any of the suspects we may be investigating."

Hosler said he's bothered by the rumors that have circulated about the family and his sister's disappearance.

"They don't know what we're going through. You know? And nobody in my family would do anything to hurt her," he said. "That somebody in my family or a family friend had something to do with this, we don't know. What I can say though is that nobody in my family would do something like this.

"We loved her. We're not people that just do stuff like that. We don't have it in our heart. We help people. We don't destroy people."

Contact **CECIL ANGEL** at 313-223-4531 or [angel@freepress.com](mailto:angel@freepress.com).

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August 15, 2006

## DNA tests confirm body is missing girl

Police pursue leads but no arrests imminent

**Norman Sinclair and Ronald J. Hansen / The Detroit News**

**DETROIT** -- "I don't want to have to look at this stuff, I don't want to have to think about burying my little sister, but that's where we are," David Hosler said Monday, holding back tears as he stood next to a shrine of toys piled in honor of Raven Jeffries on a weedy, dusty field a few doors from her home.

Hours earlier, Hosler, 19, and his mother, Brenda Jeffries, 41, were notified that their 10-day vigil of hope was over. DNA tests confirmed that a badly burned body found Aug. 7 in a field in Romulus was that of 7-year-old Raven.

"Raven was so happy in school. She was so happy to get to the second grade and to have her cut off like this," he said, not finishing his thoughts.

With groups of neighbors and friends consoling her as she walked up and down the street where parked cars displayed posters with her daughter's picture, Brenda Jeffries stoically chain-smoked cigarettes and stared at the pile of toys under a plastic sheet encircled by religious candles.

"We feel like we've been in a tornado," Hosler said. "The first few days, we were in the eye of the storm, now we are in the aftermath."

Hosler said the family has no money to bury Raven after spending \$900 for the missing-person posters.

"We have had such support from friends and strangers but now we just don't know what to do," he said.

Romulus Detective Lt. John Leacher said police are pursuing several leads. Although he would not comment, sources told The Detroit News that Raven was neither shot nor stabbed.

"We need to keep it kind of close to the belt right now," Leacher said. Wayne County Prosecutor Kym Worthy said authorities are considering multiple suspects.

Raven disappeared between 6:30 p.m. and 8:30 p.m. on Aug. 4 after her mother said she left her house on McDonald Street to pick up items for a barbecue.

Hosler said his sister asked to play by his house several doors down. He told her no before going to take a shower, he said Monday. He never saw her again.

Anyone with information about the case can call Romulus police at (734) 942-6879.

You can reach Norman Sinclair at (313) 222-2034 or [nsinclair@detnews.com](mailto:nsinclair@detnews.com).

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Published August 15, 2006

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## Burned body is missing 7-year-old Detroit girl

By Ron Vample  
Associated Press

DETROIT - DNA testing has confirmed that a burned body found in a suburban field is that of a missing 7-year-old girl, authorities said Monday.

Raven Jeffries last was seen Aug. 4 when her older brother said he saw her leave her home on Detroit's southwest side.

The child's body was discovered in Romulus three days later, but it was so badly burned that scientific testing was required to identify it.

Authorities turned to DNA tests to help identify the decomposing body because Raven had no dental records to use for identification purposes. A tissue sample from her liver was sent to the state police crime lab in Northville for analysis, Romulus police Detective Lt. John Leacher said.

DNA samples from Raven's parents were compared with the liver sample.

Police said they weren't close to making an arrest and wouldn't divulge whether Raven was sexually assaulted or if drugs were involved in her death.

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# **DNA Tests Confirm Body Found Is Raven Jeffries**

## ***No Arrests Made In Investigation***

POSTED: 8:59 am EDT August 14, 2006

UPDATED: 4:50 pm EDT August 14, 2006

The burned body of a girl found in Romulus last week is missing Detroit girl Raven Jeffries, DNA tests confirmed on Monday.

Raven, 7, was last seen on McDonald Street in southwest Detroit outside the front door of her home at about 7 p.m. on Aug. 4, according to police and Local 4 reports.

The Wayne County prosecutor's office, the Romulus Police Department and the Detroit Police Department announced the DNA test results in a news conference on Monday afternoon. Authorities said the match was achieved through a liver sample from the body and Raven's parents.

A cause of death for Raven was not given, but authorities said her body was badly burned and decomposed.

Authorities said there are several suspects they are investigating, including family members, according to Local 4.

Police also said that information about a storage facility in Taylor being searched last week was misinformation.

Investigators said last week that the clothing of the girl found dead matched Raven's clothing, according to the child's friends. Police also examined Raven's baby teeth and bedding in their investigation.

Stay with Local 4 News and ClickOnDetroit.com for the latest developments.



## Charges pending in deaths of 2 babies

### Police in Rochester, Pontiac investigating two unrelated incidents involving infant boys

Of The Oakland Press

Charges are pending in two separate cases in which an infant has died, police and prosecutors say. The names of the children are not being released, pending charges, which prosecutors say could come for both cases in the coming days.

In the first case, a 9-week-old boy died of blunt-force head trauma in Rochester on July 31. The baby was a twin. Rochester Police Chief Ted Glynn said detectives are investigating the matter and hope to bring the case to prosecutors Wednesday.

Officers were called to the home on the 1300 block of Ross Lane in Rochester on July 14 after the infant became unresponsive. The baby was taken to Royal Oak's William Beaumont Hospital, where he died a few weeks later.

Glynn said the death is being treated as a homicide.

The second case involves a 53-day-old infant who was taken to POH Medical Center, where he later died. Chief Deputy Prosecutor Deborah Carley said it appears that baby was shaken. The baby boy died Monday. "It's a very sad case," she said. A cause of death for that infant is still pending and an autopsy is to be conducted today, medical examiners said Monday. Charges could be filed in that case later this week, Carley said. The baby has a 2-year-old sibling, she said.

Sgt. William Ware of the Pontiac Police Department said the baby's mother took the unresponsive child to the hospital Monday morning.

Several people were interviewed Monday in the case but no arrests were made.

"It's a suspicious death," said Ware. "We're still investigating it at this point."

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Detroit News

August 15, 2006

Canton Township

## **Man pleads no contest in case of baby's death**

Carlee Hines Jr., 24, of Canton pleaded no contest Monday in Circuit Court to the charge of felony murder in the death of his former girlfriend's 8-month-old baby. Judge Carol Youngblood accepted the plea which carries a sentence of 22 to 60 years in prison. The sentencing is scheduled for Aug. 29. Hines is charged with the Jan. 10 murder of Eryck Fossett, the baby of his former girlfriend Erica Rodwell.

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[ From the Lansing State Journal ]

Local news briefs

## **Stepfather's hearing postponed**

Steven Moy, the man accused of murdering his 1-year-old stepdaughter, has asked that his preliminary hearing be postponed so he and his lawyer can review the evidence prosecutors say they have.

In a court appearance Monday, Judge Louise Alderson granted the Lansing man's request.

The hearing - which will determine whether the case advances to trial - was rescheduled for 9 a.m. Sept. 14.

Assistant prosecutor Bill Crino said the police reports are in the process of being prepared.

"We are in the investigatory stages," defense attorney Roderick Porter said.

Moy's stepdaughter Anishia Moy died Aug. 2 from internal injuries caused by blunt force.

Moy later was charged with murder and first-degree child abuse. He said the child fell off a couch.

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Article published Aug 15, 2006

## Spanking case goes to the jury

By Lisa Roose-Church  
DAILY PRESS & ARGUS

The fate of a Putnam Township mother, Darcy-Ann Cervelli, now rests in the hands of a 12-member jury that will decide whether the 38-year-old woman is guilty of child abuse for the way she punished her 13-year-old son in March.

The spanking — described as a beating by prosecutors — was discipline for Shane Cervelli's inappropriate behavior, including lying and stealing, the defense says.

Shane Cervelli suffered abrasions and bruising on his buttocks, legs and thighs.

Darcy-Ann Cervelli returned home from grocery shopping March 11 to find her son had not completed chores assigned as punishment for taking a pornographic video to school, and that he had damaged a door trying to get into the family's Cedar Lake Road home, even though she had locked him out of the house.

The defendant claims her son had access to the fully furnished basement, but not to the main floor of the home, because he would steal things from her.

Darcy-Ann Cervelli said she spanked her son five times with the paddle, but Shane Cervelli testified it was at least 30 times.

After the first spanking, Darcy-Ann Cervelli discovered that \$28 was missing from her room and she saw that her son had also damaged a second door to the home.

Darcy-Ann Cervelli said she lost her temper and screamed at her son, sending him to his room again. She went to her room, retrieved a belt and struck him another 10 times, she said.

Shane Cervelli, however, said he was struck an additional 10-15 times.

Her son's bad behavior was escalating and as it did, so did the punishment he received, Darcy-Ann Cervelli testified.

In closing arguments Monday, Assistant Prosecutor Angela Del Vero acknowledged Darcy-Ann Cervelli invested a lot of time into her relationship with her son. However, she said the defendant's actions were not merely parental discipline or structured discipline for bad behavior, as the defendant claims.

"This discipline wasn't structured. This discipline was rage," Del Vero said.

Royal Oak defense attorney Todd Flood said the easiest thing for a parent to do with a child who lies and steals is to give up. Cervelli did that hardest thing — she disciplined her child, Flood said.

"She has put her hands in the foundation of trying to make Shane a better person," the defense attorney said. "We discipline to make them discipline themselves. ... It hurt her more than it hurt him.

"My client is allowed to paddle," Flood added. "My client is allowed to discipline her son. My client is



allowed to love her son. She did an act called tough love."

Del Vero said Cervelli wanted a perfect child and when the defendant's son failed to bend to that ideal, Cervelli beat him.

"When's the last time you inflicted a spanking like this?" Del Vero asked the jury as she held up photos of Shane Cervelli's bruised buttocks. "It isn't a spanking."

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## THE BAY CITY TIMES

### Change Sex Offender Registry to stop punishing some adults for what they did as kids

Tuesday, August 15, 2006

By KAREN A. TIGHE

There is a growing acknowledgment that Michigan's Sex Offender Registry (SOR) needs another look, especially as it applies to juvenile offenders.

The registry was established with the idea of protecting the public. It was created in response to a few horrific high-profile crimes where children were abducted and sexually assaulted by strangers. The goal was to publicize the addresses of convicted sexual predators who, upon release from prison, might present a threat to public safety. After several years of operation, the results are mixed.

Many states are now revising their SOR laws in recognition that the inclusion of juveniles has resulted in over broad, punitive treatment that in some cases outweighs the benefits of public notification. A recent headline (Bay City Times, June 24), "New law gives sex offenders almost no place to live in Georgia," illustrates this point. There have been numerous press accounts recently that describe homelessness, joblessness, harassment and public ostracism toward young adults who have successfully completed treatment and are not a threat to the public.

Unfortunately, the list of offenders is now so large that its effectiveness is diluted. In Michigan alone, there are over 36,000 names on the Sex Offender Registry. The list becomes more unwieldy every year, since individuals must remain on the registry for 25 years after a conviction. No one currently registered is eligible to have his name removed until well past 2020.

While the law's intent was to identify predators who may abduct children, the truth is, abduction by strangers is a rare event. Federal Bureau of Justice Statistics show that nine out of 10 sexual assault crimes involve a family member or close acquaintance of the victim. When accessing the Michigan State Police SOR Web site, it is impossible to distinguish persons who continue to pose a public threat from those who have been rehabilitated.

While all individuals on the registry have committed a sexual offense, not all are "sexual predators" or "sexually deviant." This is especially true in the case of juveniles whose offense may have occurred as young as 10, but whose names go on the public registry when they become 18.

Most media outlets, including The Bay City Times, maintain a privacy policy that does not identify juvenile offenders or victims of sexual offenses by name. Similarly, while the Sex Offender Registry applies to juveniles, their names remain confidential until age 18. By that time, many juvenile offenders have completed treatment and do not pose a threat. But at age 18, their names must go on the public registry. This often impedes the ability of rehabilitated youth to find housing, maintain employment and reassimilate into society.

Unlike the adult system where crimes are punished by incarceration, the juvenile system hopes to rehabilitate. While some have called for harsher treatment of juveniles, by and large our society recognizes that, in the words of Desmond Tutu, "We must look on children in need not as problems but as individuals with potential." The juvenile court system does its best to re-parent children who have victimized others, and help them conform behavior to society's standards. There are reliable assessment tools that can differentiate the pathological from the incorrigible, and many juveniles respond readily to treatment. A few

examples from the local caseload help illustrate this point.

One young man began his path to the SOR by being a teenaged Don Juan. His sexual conquests resulted in pregnancy for two girls at his high school. Although he was 16, both girls were 15, which is below the legal age of consent in Michigan. When their pregnancies became public, the young man was referred for prosecution. He is not a predator. He is not a rapist. He is not a threat to young children. He is now a father, and when he was released from juvenile court, he was still dating the mother of one of the babies. He will be on the Sex Offender Registry until he is 41 years old.

Another young man's path toward the registry started through no fault of his own, when he was a little boy. He is one of the children the registry was designed to protect - he was abused by a convicted sex offender, his father. After this trauma, he was placed with a loving foster family. Children are the greatest imitators in the world. At age 13, this boy acted out inappropriate sexual behaviors he had learned, on another child at home. He was prosecuted for criminal sexual conduct and pled guilty. The court assumed his care, and he was sent to residential placement. He was given years of intense therapy. When he turned 18, confidentiality no longer applied. Suddenly, his name and picture appeared on the public registry. His classmates used this information to ostracize him when he registered (as required) as a sex offender with the campus police.

Due to a glitch when he was released from court wardship, his address was incorrectly reported. The prosecutor issued a warrant for failure to register as a sex offender, which is a felony. A state trooper was dispatched to transport this young man from his foster home in the Upper Peninsula to the Bay County Jail. After learning the background, the district court dismissed this charge. But upon his release from jail, the young man was stranded 300 miles from home, with no money and no transportation. Court employees bought him lunch and a bus ticket back to the north. It has been almost nine years since his offense occurred. There has been no repeat behavior. This young man will continue to be registered as a sex offender until he is 38 years old.

Finally, a 23-year-old man came into court recently to seek expungement of his juvenile record. His offense happened when he was 12, with a younger child. Today, he presents a compelling picture of a person who has done everything in his power to atone for his youthful crime. He was accompanied to court by his wife and his pastor. He brought in copies of his college grades and references from teachers. He was proud of his job. He satisfied the court that his juvenile record could be destroyed. Yet, he must remain on the registry until he is 37.

The state police Web site carries a disclaimer that the SOR should not be used for harassment. However, this young man was summarily fired when a co-worker showed his boss the information on the registry.

What the Sexual Offender Registry does not reveal is that many juveniles successfully complete sexual-offender treatment. They learn to identify their own abuse cycle and the things that trigger flashbacks. They learn to avoid pornography and sexually explicit material. They learn to protect themselves from false accusations by avoiding unsupervised contact with persons who might accuse them.

The Michigan Probate Judges Association has urged the Legislature to consider revising MCL 28.721 to provide for the use of discretion in requiring juvenile offenders to remain on the registry for 25 years. Some revisions adopted by other states include: allowing a prosecutor to file a petition where they believe public notification is required; requiring a court to hold a hearing at age 21 to determine whether a juvenile should be registered as an adult; and allowing a juvenile to file a petition requesting the court to determine whether the interests of the public require future notification.

The Sex Offender Registry is an excellent tool to allow victims to track the whereabouts of the person who committed a crime against them. But if the general public makes assumption about registrants without knowing the details, the SOR can become a tool of retribution beyond what the law envisioned.

- Karen A. Tighe, a Bay City resident, is the Bay County Probate Court and Family Court judge.

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Michigan Report

August 14, 2006

## **UDOW, HARDIMAN DISCUSS RACIAL EQUITY IN FOSTER CARE**

NASHVILLE – Department of Human Services Director Marianne Udow and [Sen. Bill Hardiman](#) (R-Kentwood) were here Monday discussing Michigan's approach to dealing with racial inequity in the foster care system.

Mr. Hardiman said that while family programs are important, as he witnessed in his own family, there are times that children need to be taken out of the home because that is what is best for them.

While there were public hearings and discussions held across the state, the idea of tackling the issue was not something lawmakers had a great deal of discussion on, he said, as a commission was identified and kept alive with funding in the budget process.

The report (See [Gongwer Michigan Report, March 21, 2006](#)) shows that black children are more likely to be in the foster care system than white or Hispanic children.

Ms. Udow said that the "difficult journey" was added by the Skillman Foundation and the Casey Foundation, which sponsored the event in Tennessee.

Physical neglect is the area states are most capable of dealing with, Ms. Udow said, adding that implementation of the Family-to-Family program, which will bring more resources to the families the state get involved in a child's welfare, will be key to the prevention services the state has available.

"First and foremost we don't want children to be a victim," she said.

With the Family-to-Family Program, in addition to funding available through the Title IV-E waiver, more training for staff and a deeper dialogue on racial inequality, the state is working to measure these new program outcomes at the county level, Ms. Udow said.



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Published August 15, 2006

## Hip social worker helps toughest boys

Counselor has ability to reach troubled teens

Associated Press

WAYLAND - Lenair Correll hops out of her silver convertible and flip-flops into a Wayland foster home in her woven straw sandals.

Inside, two teen boys who have seen a lot of trouble will have their weekly chat with their hip social worker with the pierced nose.

One wants to go visit his mom out of state. Sorry, the courts won't allow it, Correll tells him.

His fingers drum on the lace tablecloth in agitation: "That's bull crap."

"It's all on you," she tells him. "You need to make some better decisions."

The two of them have gotten off to a rocky start. Correll knows the drill. It'll be this way for a while. Soon, chances are, he'll wonder what he ever did without her.

### Mouthy, disrespectful youths

Correll, 34, specializes in helping



(Photo by LORI NIEDENFUER COOL/Associated Press)  
Establishing a bond: Lenair Correll, a social worker for D.A. Blodgett for Children, talks with Mike, a foster teen in Grand Rapids. The young men she counsels often stay in touch with her after they've graduated from foster care and gotten jobs - or on occasion, landed in prison.

### Therapy for teens

Lenair Correll does many things for the teenagers she helps, including:

- She listens.

tough teen boys in foster care. When she gets them, they're often mouthy, disrespectful, troubled by mental illness or learning disorders, in trouble with the law.

- Takes them to court appearances.
- Celebrates their success with ice cream.
- Teaches them how to drive on back roads in her own vehicle.
- Insists that teens take the SAT.

With a mix of compassion and tough love, she tries to steer them back to the right path. She takes them to court hearings. She buys them ice cream sandwiches to celebrate successes. And she confiscates their cell phones when they tick her off.

The teens spend a lot of time in her Volkswagen Cabrio convertible, complaining it's too small. Part of her job is taking them to their court dates, which are often all over the state.

During the first car trip with a kid, she asks silly questions - what's your favorite color? If you had a million dollars, what would you do with it?

As she gets to know them, the car questions get deeper. If you had to tell somebody a deep, dark secret, what would it be? Who in the world knows you best?

Sometimes, their answer to that last question throws her. More than one kid has answered, "You do."

### **Making sure they're ready**

The boys she helps live with foster parents through a program at D.A. Blodgett for Children called the Parent Therapist Program. Designed for teens who need extra support, the program places them with foster parents who have been trained extensively to meet their many needs.

At age 17 or 18, they'll be out on their own, graduates of foster care. Correll's job is to make sure they're ready.

Over the past seven years, she's watched dozens head out into the world, struggling and triumphing, some becoming fathers, some buying houses, others ending up homeless or in jail.

She's had a rough year. Several of her boys have been in trouble with the law, stealing cars and breaking into a house.

"I've taken a beating this year," Correll says. "It's been so frustrating. They know right from wrong. They know they shouldn't steal a car. They have this attitude, 'Everybody thinks I'm a loser, so I must be a loser. So I'll do loser things.'"

"One kid from last year I had really high hopes for," she says. "He went to prison."

She holds up a letter from him, several pages long, she just found in her mailbox. She hasn't read it yet. It's just one of several letters that have stuffed her mailbox lately as the teen struggles behind bars.

"It's gut-wrenching to get these letters," Correll says. She always writes back. She tells him to be good, be strong. She always includes an inspirational quote, culled from her stash of quote books.

"Difficulties strengthen the mind, as labor does the body," is one of her favorites.

### **Tough compassion**

Her own power lies in her mix of tell-it-like-it-is frankness and compassion that leads her above and beyond the call of social worker duty, says Correll's supervisor, Mary Jo Sabaitis.

She's put utilities in her name for 17-year-olds on their own who can't get them. She's used her own money to buy bipolar medication for a teen in jail. She takes kids shopping for clothes when they're out in the world, floundering.

"This is for kids who are no longer on her caseload," says Lona Clairmont, a D.A. Blodgett foster mother for 20 years who has worked with Correll for seven.

"It's no longer her job. It's humanity."

Some of the things Correll does make her boss wince.

"She teaches them how to drive in her car on country roads," Sabaitis says. "It's not something we'd promote."

Correll insists her kids take the SAT.

"Lenair opens doors for them that no one else would," Sabaitis says.

"She shows them what it feels like to get an education. Even if they go for three months then drop out, they've had a glimpse of a life that goes beyond crime, beyond substance abuse, beyond life on the dole."

The other day, Correll got a phone call from Matt Fuller, who graduated from high school - and her caseload - two years ago to strike out on his own.

"He said, 'Lenair, I just closed on my first house an hour ago,'" she says. "He was so excited. It made me feel good that something good happened to him, and he called me."

Fuller, 21, now a tool-and-die maker, says of course he called Lenair.

"She's like part of my family," he says. "She's always been there."

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## Juvenile lifer law needs fair hearing

*August 15, 2006*

Michigan's notorious juvenile lifer law has rightly drawn fire from human rights groups worldwide, including Amnesty International and Human Rights Watch. Last month, a coalition of 142 U.S.-based groups even declared that the state's policy, which permits mandatory life sentences for certain teen-age offenders, violates international treaties.

At the very least the law contradicts science, common sense, legal tradition and public opinion. A bill sponsored by state Sen. Liz Brater, D-Ann Arbor, would fix the worst abuses of the law, but it has been locked up all year in the Senate Judiciary Committee. Committee Chairman Alan Cropsey, R-DeWitt, told the Free Press last week that, while he had "dozens of red flags" about Brater's bill, he was open to giving it a public hearing. Cropsey should do so now while there's still time for legislators to act this term.

In Michigan, more than 300 juveniles have been sentenced to life without parole -- one of the highest such numbers in the nation. Brater's bill would not release any of them. It would simply give them a chance at parole after they had served at least 15 years.

That's a reasonable change, consistent with brain-imaging research that shows -- surprise -- that teenagers are more impulsive and unstable than adults, even without the abuse and neglect that many young offenders have faced. Juveniles don't have the same legal rights and responsibilities as adults because they lack the maturity and judgment to handle them. Nor should they generally pay the same consequences for crimes. That's partly why a conservative U.S. Supreme Court threw out the death penalty for juveniles. A recent Wayne State University survey suggested that only 5% of state residents support the current Michigan law.

Brater's bill offers the best hope of bringing Michigan's juvenile law into the 21st Century. Cropsey should allow it a fair hearing.

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Detroit News

August 15, 2006

Wayne briefs

Plymouth

## **Ex-Senate candidate charged with abuse**

Defeated last week in a bid to unseat incumbent Nancy Cassis in the Republican primary for state Senate, Christopher Patrick Maloney of Northville now faces a preliminary examination on Aug. 25 in Plymouth District Court on a charge stemming from alleged abuse of his disabled mother, Shirley Maloney. He is accused of striking the 73-year-old woman, who suffers from dementia, has had a kidney transplant and uses a wheelchair. The incident allegedly occurred on Memorial Day weekend inside the Northville home they share. Maloney served four months in jail in 1995 for felonious aggravated stalking of an ex-girlfriend. Third degree vulnerable adult abuse is misdemeanor crime, punishable by up to two years in jail.



## — THE — ANN ARBOR NEWS

### **Arrest made in fatal shooting of homeless man from Detroit**

Tuesday, August 15, 2006

A Brownstown Township man has been arrested in the shotgun slaying of a 51-year-old man whose body was found along a Salem Township road Friday.

State Police said they arrested the 50-year-old suspect Monday after he was questioned in the death of Edward Browder, a homeless man from Detroit's southwest side. The suspect was held at a Detroit police station pending arraignment today.

Investigators said the slaying occurred in the salvage yard where the suspect is a private security guard. They said he then drove the body in his

pickup truck to Salem Township and dumped it.

The body was found

Friday afternoon by a passer-by.

Troopers said Browder had been shot in the back.

Troopers and Detective James Bundshuh identified the suspect on Sunday, then watched him on Monday as he prepared to have his truck painted, according to a statement released by State Police. Bundshuh was not available this morning to say how police identified Browder or found the crime scene.

Investigators impounded the truck, and found the shotgun at the suspect's home, along with 65 other guns, including pistols, shotguns and rifles.

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## THE BAY CITY TIMES

### **Warm hearts will mean warm kids this winter**

Tuesday, August 15, 2006

Have a heart? Give a coat.

That's the team approach our community is going to have to take this year to keep alive the Coats for Kids program.

You know about that charity effort: Every year, regular folks donated coats, and money to buy coats, to the Created for Caring social service agency.

In turn, the charity would outfit needy kids with cold-weather clothes.

But a hitch this year: Created for Caring closed its doors in June. It may be hot outside now, but Old Man Winter is coming over the mountains.

Up stepped the Maier & Associates Charitable Foundation, the nonprofit arm of Maier & Associates Financial Group Inc.

The foundation has taken over the Coats for Kids program, and its staff is enthusiastically planning to fill every need this fall - even if it means topping the 1,100 coats given out last year.

We don't doubt it - the Maier & Associates crew is fast establishing a stellar record of community service. In recent years, the agency president, Wayne Maier, has donated a Corvette to auction for children's causes.

And, staff members are planning a special fall program, called Just for Kids, that will supply a meal, shoes and ice cream to children at the Bay County Women's Center. This is one special agency, but they can't do it all by themselves.

You can help kids this fall and winter by donating money or new coats.

It's sure to give you a warm feeling.

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## Saginaw judge, attorney don't believe court changes would be helpful

Monday, August 14, 2006

**DARRYL Q. TUCKER**

The state Supreme Court is considering changes justices say will help jurors deliver fair, impartial verdicts, but Saginaw County officials say they see nothing wrong with the system as it is.

One rule would allow jurors to discuss evidence among themselves during trial recesses. Jurors now cannot discuss the case until they begin final deliberations.

"That's dangerous," said Saginaw County Circuit Judge Fred L. Borchard. "The juries have not heard all of the evidence."

Saginaw attorney James F. Piazza agrees with Borchard.

What if a juror forms an opinion without hearing the entire case? he asked.

"That you don't want to do," he said.

Other rules changes would allow jurors in civil cases, not just criminal cases, submit questions to witnesses through the judge.

Borchard, who served as a juror in January 2004 and acquitted a Saginaw Township woman who faced a charge of fourth-degree child abuse, doesn't like the idea of jurors questioning witnesses.

"It takes up too much time," he said.

If jurors are patient perhaps another witness will answer the question, Borchard said.

Piazza, a former prosecutor, said jurors don't know the court rules and can ask the wrong question.

For example, a juror can ask a question about a polygraph result, which is something that courts don't admit, he said.

"That could lead to more speculation on the part of the juror," Piazza said.

Another rules change would allow jurors to take notes -- which some courts permit -- and take them into deliberations.

Courts could schedule expert testimony sequentially or allow jurors to observe a panel discussion by all the experts. Experts could question each other during the panel discussion.

Now, expert testimony sometimes is staggered and with possible long gaps between related testimony from prosecution and defense witnesses.

Again, Borchard and Piazza don't want to see the rules changed.

"Experts are not familiar with the rules of examination and cross examination," Borchard said.

Chief Justice Clifford Taylor said the justices hope to hear from the public -- especially those who have served on juries -- about the proposals.

"Next to voting, there is no more important democratic function than jury service, yet many jurors are frustrated by practices that seem to hamper their decision-making ability," Taylor said. "These measures have been proposed as ways to improve their jury experience -- and help jurors seek the truth." v

Darryl Q. Tucker covers courts for The Saginaw News. You may reach him at 776-9686.

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Aug 15, 3:32 AM EDT

## **AP: Legal Aid Program Has Expensive Taste**

By LARRY MARGASAK  
Associated Press Writer

WASHINGTON (AP) -- The government-backed clinic where Richard Taylor seeks free legal help uses furniture worthy of a second-hand store. The carpets are worn. And the walls lack the standard glut of law books and journals that usually adorn law firm libraries.

Across the country, the neighborhood offices of the Legal Services Corp. - where one out of every two poor Americans is turned down for help because the agency lacks resources - are a far cry from the federal program's headquarters.

Documents obtained by The Associated Press detail the luxuries that executives of Legal Services have given themselves with federal money - from \$14 "Death by Chocolate" desserts to \$400 chauffeured rides to locations within cab distance of their offices.

"I don't think that's right," Taylor said, as he walked from the program's inner city legal clinic in the nation's capital, covering his head with a towel to protect himself from the searing summer heat.

"They're depriving some others that really need it and that's not good. ... It's supposed to be about the people."

The government-funded corporation boasts a spacious headquarters in Washington's swank Georgetown district - with views of the Potomac River and a rent significantly higher than other tenants in the same building.

And board members wrote themselves a policy that doubled the amount they could claim for meals compared with their staff.

Legal Services is a nonprofit corporation run with federal money that was created by Congress to provide legal help in civil matters for Americans who can't afford their own lawyers. It funds neighborhood clinics across the country where lawyers provide such help.

Three congressional committees have questioned the program's spending as has the corporation's own internal watchdog. The chairman of the tax-writing Senate Finance Committee is threatening to withhold future money if the corporation doesn't trim its extravagance.

"It's waste and abuse," said Sen. Charles Grassley, R-Iowa, citing the board's doubling of the meal money as an example. "At 200 percent, it seems to me what we would call in Iowa living high off the hog."

Legal Services officials defend their program, saying administrative expenses are kept separate from money distributed to the local, independently run legal outlets.

Corporation spokesman Tom Polgar said LSC president Helaine Barnett and board chairman Frank Strickland "are aware they are using taxpayer funds and try to operate in a manner that is frugal and appropriate." Barnett is a former legal services attorney. Strickland is an Atlanta lawyer.

Barnett declined to be interviewed. Strickland did not return several phone messages seeking comment.

The scrutiny of Legal Services' spending comes as the corporation says it doesn't have enough resources to meet many poor clients' needs.

Legal Services' own study found last October that for every client who receives service, one applicant is turned away because there are not enough resources to help. Since that study counted only those who contacted the program for assistance, the corporation said it likely underestimated the unmet need.

Nine recent state studies demonstrated that less than 20 percent of the legal needs of low-income Americans were being met, LSC said.

Neighborhood Legal Services, the local program that serves the poor in the nation's capital, is a refuge where a federally funded lawyer can help a client stave off homelessness, fight an unscrupulous landlord, file for divorce or receive help with a host of other legal problems.

The lobby of the inner-city office looks like a doctor's waiting room that has used the same hardback chairs and magazine stand for decades. The carpet is worn and stained. Some offices are barely big enough for a desk.

Unlike Legal Services headquarters' well-stocked library, filled with criminal code books and Supreme Court opinions, the local program library has mostly bare walls. The conference table doubles as a staff lunchroom.

Marie Parran of Washington, a legal services client, wants money supporting Legal Services headquarters to go instead to the field. "There's so many poor people in the Washington, D.C., area who need the help and can't afford a lawyer. I think that's money that should be going to the poor that live in D.C.," she said.

Legal Services' own internal watchdog, Inspector General Kirt West, has questioned whether the corporation's headquarters has more space than it needs and whether it pays too much for rent.

The headquarters has multiple conference rooms and kitchen/pantry areas. Yet, the corporation's 11-member board of directors holds its meetings at hotels around the country, including Washington, at costs ranging from \$20,145 to \$55,125 - the latter in San Juan, P.R.

The decision not to use the headquarters conference room was explained in an October 2004 memo from board chairman Strickland. He said board members, who work outside the corporation, preferred the Melrose Hotel in the same upscale neighborhood as the headquarters.

The board members sought "convenience to their rooms" and did not want to "feel confined" to headquarters for two entire days, he said. In addition, he said he was worried that the headquarters lacked privacy because "all meeting rooms at LSC have glass walls."

Bills from the Melrose, with all costs per person, included: a \$59 three-entree buffet, an \$18 breakfast featuring scrambled eggs with chives, a \$17 breakfast including Belgian waffles, a \$28 deli buffet, a \$13 "high tea" service, a \$12 "bagel break," a \$12 "Crazy for Cookies" assortment and \$14 "Death By Chocolate" desserts.

Legal Services spokesman Polgar and Charles Jeffress, the LSC chief administrative officer, said the headquarters conference room can hold about 80 people, but that was too small to accommodate the 11-member board, the staff, the media and the public.

They also contended that meal costs for board members may be just as expensive if catered at headquarters.

Beyond the hotel-prepared meals at their meetings, it made sense for board members to dine together. The board fashioned for itself an expense policy that permitted members to receive up to 200 percent of the allowable meal expense - as long as board members ate together.

"The only time it was ever used was in conjunction with a board meeting," Jeffress said.

The policy recently was rescinded after congressional investigators questioned it.

Barnett, Strickland and another board member have used limousine services.

Strickland had a packed schedule last April 25, so the agency ordered a car and driver to take him and Barnett to meetings on Capitol Hill with lawmakers - about a 15-minute ride from headquarters. The car also took them to Arlington National Cemetery for a funeral and to a separate memorial service, also in Arlington - all short rides.



Even the Legal Services Corp. comptroller, David Richardson, questioned the expense.

"With cab fares from our office to Capitol Hill costing \$20 and the nominal cost of a cab to Arlington Cemetery and return, this \$423.99 seems to be an extraordinary cost," he wrote in an internal memo.

Polgar, who acknowledged making the decision to hire the car, said he was concerned that Strickland wouldn't make his schedule.

Barnett also used a hired car and driver to attend a funeral service for a former board member in Harrisburg, Pa., about a two-hour drive. The cost: \$400.

Polgar said Barnett, who does not have a car in Washington, wanted to work on the trip rather than rent a car and drive herself. The cost was competitive with train fare and airlines, he said.

Barnett and Strickland both attended the International Legal Aid Group Conference in Killarney, Ireland, in June 2005. To get to Killarney from Shannon Airport, Barnett took a cab for \$220 and returned to the airport by taxi for \$189, a cost of \$409 for a roundtrip of about 160 miles.

Polgar said Barnett was supposed to have a free ride from Shannon, but she was stranded at the airport and had to take the cab. She couldn't find a ride for the return trip, he said.

The Legal Services headquarters in Georgetown was bought by a nonprofit group, Friends of the Legal Services Corp., that was formed to purchase a permanent headquarters.

The board chairman, Thomas Smegal, said the \$38 per-square-foot rent charged Legal Services was a good deal - even though other tenants were paying less than \$30. Nonetheless, he said Legal Services was not getting ripped off.

Smegal said LSC's rent won't change for the 10-year lease, while other tenants' rents rise. The tenants paying low rent already had those leases when Friends took over the building, said Smegal, a San Francisco lawyer.

When the building is paid off, he said, it will be turned over debt-free to the Legal Services Corp.

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On the Net:

Legal Services Corporation: <http://www.lsc.gov>



# News Release

Contact: Stepheni Schlinker or Maureen Sorbet (517) 373-7394

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## **Michigan Heart Gallery on Display in Saginaw** ***Public to view professional portraits of Michigan foster children*** ***who are waiting for adoption***

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**August 15, 2006**

SAGINAW – There are more than 4,000 children in Michigan with parental rights terminated who are either waiting for their adoption to be finalized or waiting for a family. Most of these children are among those hardest to place – kids who are older and members of minorities and/or sibling groups. Adoption for older youth in the foster care system is a priority to ensure they do not leave the foster care system without a connection to a supportive adult.

Sixty of these children are featured in a heart-warming photographic exhibit called The Michigan Heart Gallery. The Michigan Heart Gallery will be on display from August 15 – September 14, 2006 at the Saginaw Castle Museum, 500 Federal Ave., in Saginaw.

The Michigan Heart Gallery, a collaborative effort between the Michigan Adoption Resource Exchange, the Adoptive Family Support Network and the Michigan Department of Human Services, seeks to bring our community closer to the faces and voices of children waiting for a “forever family.” The Michigan Heart Gallery features portraits of Michigan’s waiting children who come from various regions of the state and are representative of different races and ages.

“The Michigan Heart Gallery has been an amazing undertaking,” Kristen Donnay, intake coordinator for the Michigan Adoption Resource Exchange, said. “The portraits of the children are compelling. They draw you in and make you feel like you know the child. Equally as impressive has been the time, energy and compassion that the photographers have brought to the project.”

Recruitment activities such as the Heart Gallery remind people that there are many children in Michigan who are waiting to be adopted.

“Most of the children featured have been waiting for a long time to find a family to call their own,” Marianne Udow, director of the Michigan Department of Human Services, said. “While we hope the children featured in The Heart Gallery will find families, the larger goal of The Heart Gallery is to promote the idea of caring for and adopting children from the foster care system. We know from experience that if these children are not seen, and if we do not continue to educate the public about older children who need families, then they are forgotten. We are thrilled that the public will have a chance to view these portraits, get to know the children and possibly take action to see if adoption may be right for them.”

-MORE-

The photographs in The Heart Gallery were taken by more than 50 professional photographers who donated their time, talent and resources to take portraits that help capture the spirit of children in the foster care system. The Heart Gallery allows these children to be seen in an artistic, poignant and tasteful photographic exhibit. The kids thoroughly enjoyed their photo shoot experience. Some children were able to help select which portrait to feature in The Heart Gallery, while others came up with their own poses and some were given lessons in photography during the photo shoot, allowing them to become budding photographers themselves. Professional photographer Andre LaRoche volunteered to participate in The Michigan Heart Gallery and photographed 11-year-old Anthony.

"After meeting Anthony and walking around the youth home looking for a location to photograph him, I had to wipe tears from my eyes," LaRoche said. "My son is four years old and I give him and he gives me so much love. Without him, my life would be empty. I cannot easily think of all the boys at this center, with no loving parents, without a home, with their hopes and dreams possibly out of their reach."

For more than two years Anthony has been in the foster care system, waiting for his forever family. Recently, he was matched with a family after his Heart Gallery photograph caught their eye on the Michigan Adoption Resource Exchange Web site.

Another piece of The Michigan Heart Gallery is a small sampling of portraits of successful adoptive families. The Heart Gallery will feature up to 10 families who have opened their hearts and homes to children from the foster care system.

"These wonderful families show others that it is possible to build a family through special needs adoption," Udow said. "Despite the rough times that they might have faced along the way, they prove how much love and care can do for these children."

The Heart Gallery concept was initially founded by the New Mexico Children, Youth and Families Department in 2001 as a way to help foster children in protective custody who are waiting for adoptive families find the families they desire. Stirring photographs, which reveal the children's spirits and individuality, have helped many of them find loving homes. The Heart Gallery has expanded to dozens of states and cities since 2001. Heart Galleries all over the United States have been featured in *People* magazine, the *New York Times* and on CNN, MSNBC and the Today Show.

For more information about The Michigan Heart Gallery and how you can get involved, please call (800) 589-6273 or visit The Michigan Heart Gallery Web site at [www.miheart.org](http://www.miheart.org)

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